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MT

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/287,023 04/06/99 MALIK D BS100/176677

023370
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LM01/0718

EXAMINER

NGUYEN, D

ART UNIT

PAPER NUMBER

2743

DATE MAILED:

07/18/00

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/287,023

Applicant(s)

MALIK

Examiner

Duc M Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrill (5,991,749).

Consider claims 1-3, 8-10, 12-13, 18-21, 26-29, 34. Morrill teaches a method for using a communication to conduct a transaction (e.g., transferring funds between phone or financial account; column 1 lines 30-40; column 2 lines 18-32) with respect to a telecommunications account (the mobile phone number of the recipient; column 2 line 60 to column 3 line 36), comprising the calling line is met by the caller's cell phone number; the transaction amount is met by (column 2 lines 33-59); the billing system is met by the CPU (column 2 line 60 to column 3 line 36). All other limitations of claim 1 are met by Morrill teachings (column 4 lines 17-38; column 3 line 65 to column 6 line 13).

Morrill does not teach the use of this method in an advance intelligent network (e.g., SS7). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Morrill above teachings into the AIN (advance intelligent network)

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without changing the scope of the claimed subject matter which is to provide a variety of payment methods to caller so that caller can choose a suitable and convenient method to transfer fund between different accounts.

Consider claims 4-6, 11, 15-17. Morrill further teaches the use of a PIN or an unique user account code (column 2 line 60 to column 3 line 5) which reads on the validation step in claims 4-6, 11, 15-17.

Consider claims 7, 14. Morrill further teaches the CPU confirms completion of the transaction by generating and displaying a transaction confirmation/authorization number code (column 3 lines 6-19) which reads on the limitations of claim 7, except for the step of providing an announcement to the communication. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to announce a transaction confirmation/authorization without changing the scope of the claimed subject matter which is to provide the user with confirmation message so that the user knows for sure that the transaction went smoothly and completely.

Consider claims 22-25, 30-33. Morrill further teaches that the transfer is reflected as a debit on the user's phone bill and as a credit on the recipient's mobile phone statement, along with any phone usage or transaction charges (column 3 lines 24-27); transactions are reflected directly on the user's and recipient's bank, credit card, or other periodic bill/statement, with only phone usage or transaction charges, if any, shown on the mobile phone statement (column 3 lines 20-36).

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306 or (703) 308-6296

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

July 8, 2000

Duc Nguyen



Patent Examiner
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